

c' 21 End  
a second diffusion prevention film interposed between said capacitor insulating film and said second electrode to prevent diffusion of atoms constituting the metal material; wherein each of said first and second diffusion prevention films has a flat surface directly adjacent to said capacitor insulating film.

---

#### REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-32 are pending in the present application with Claim 1 having been amended by the present amendment.

In the outstanding Office Action, Claims 1 and 3-9 were rejected under 35 U.S.C. § 102(e) as anticipated by Alers et al, and Claim 2 was rejected under 35 U.S.C. § 103(a) as unpatentable over Alers et al in view of Hayashi.

First, Applicants note the outstanding Office Action indicates Claims 1-9 are pending in the present application, but Claims 1-32 are actually pending in the application.

Claims 1 and 3-9 stand rejected under 35 U.S.C. § 102(e) as anticipated by Alers et al. This rejection is respectfully traversed.

Claim 1 has been amended to recite that each of the first and second diffusion prevention films has a flat surface directly adjacent to the capacitor insulating film. In a non-limiting example, Figure 2 shows the first diffusion prevention film 14 having a flat surface directly adjacent to the capacitor insulating film 16. The same is true for the second diffusion prevention film. Further, Applicants note if the surfaces of the diffusion film are sinuous, the diffusion prevention capability of the curved part drops and the advantages of the present invention cannot be sufficiently obtained.